

**REGULAR MEETING of the Burrillville Town Council held Wednesday, May 26, 2010 at 7:02 P.M. in the Town Building, 105 Harrisville Main St., Harrisville, for and within the Town of Burrillville.**

**PRESENT: Council President Nancy F. Binns, Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**MEMBERS ABSENT: None**

**1. Council President Nancy F. Binns led those present in pledging allegiance to the flag.**

**2. VOTED to accept the minutes of the workshop May 3, 2010; and dispense with the reading of said minutes.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**3. Public Comment: None**

**4. General Good and Welfare of the Town of Burrillville**

- Councilor Norman C. Mainville commented on the Veterans' Memorial ceremony held May 23, 2010 and on an invitation to Veterans to attend the musical program by the Community Baptist Church on May 30 at 10:00 A.M. Councilor Mainville encouraged people to continue to recognize Veterans' contributions.
- Councilor Norman C. Mainville asked the clerk to send a letter of congratulations to Chief Richard St. Sauveur of Smithfield.
- Council President Nancy F. Binns announced Veterans' Day activities scheduled for May 30, 2010.
- Council President Binns suggested the following schedule for the charter questions which would ultimately be included on the November 2, 2010 ballot:

June 23 Town Council selects questions; refers to Solicitor

July 14 or July 28 Town Council approves questions

July (tbd) Board of Canvassers Certifies questions

(no later than) August 4 Certified Questions to Secretary of State

October (tbd) Public Hearing

November 2 Election

- Town Council President Nancy F. Binns announced that the Town Council had voted on May 24, 2010 to delay the June 9, 2010 budget adoption. Notice of the budget adoption date would be published.
- Councilor John M. Karmozyn, Jr. voiced concern on the May 24, 2010 Town Council resolution to the School Committee, a matter on which he had recused himself. Councilor Karmozyn expressed his

hope that the Town Council and School Committee would work together agreeably in the future.

- Councillor John M. Karmozyn, Jr. was wished a happy birthday.
- Michael C. Wood announced that annual opening day for Spring Lake Beach on May 29, 2010.

Mary Ryan pointed out that the published charter contains a typographic error in §10.04(i)(5) in that it refers to §11 rather than §10.

**5. Petitions: None**

**6. Special Business:**

**10-130 VOTED to ratify proclamations honoring the 2010 inductees to the Burrillville High School Athletic Hall of Fame.**

**VOTED to ratify proclamations honoring: Dave Coupe (Class of 1960), Colonel John “Jay” Ducharme (class of 1982), Kerri Fagan (Class of 1986), Bernadette Farrell, William Guilbault (Class of 1973), Jeff Lavigne (Class of 1995) Mike Lovette (Class of 1954), Bill Rogers (Class of 1959), William Trinque (Class of 1973), and the 1960 Burrillville High School Hockey Team (Denny Ballou, Paul Breault, Bobby Callahan, Fred Colburn, Dave Coupe, Phil Coupe, Joe Dudley, Don Eccleston, Jack Griffin, Dick Guilbault, Gordon Hall, Tom Keeling, Gene Kenney, Kenny Lafreniere, Jim McCormick, Billy Palazini, Edgar Richard, Paul Simpson, Herbie Stead, Jerry Zifcak,**

**Coach William Mousseau, Assistant Coach Lawrence Wheeler).**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmzoyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**10-131 VOTED to adopt a proclamation recognizing Irene Vock Gillis and Louise Vock Schofield for their dedication to land conservation.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmzoyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

## **7. Public Hearings:**

**A. Application for transfer of Retail License Class BV (Limited) to sell beverages under Title 3, Chapter 5 of the General Laws of Rhode Island 1956, and amendments thereto, has been made as follows.**  
**FROM: Justin Hagerty d/b/a Bolies Chowder Shack, in building owned by Sheila Finn, for premises located at 98 Pascoag Main St., Pascoag, (Assessor's Map 175, Lot No. 40).**

**TO: Achara Weydt Corporation d/b/a Thai Time Restaurant, in**

**building owned by Sheila Finn, for premises located at 98 Pascoag Main St., Pascoag, (Assessor's Map 175, Lot No. 40).**

**NOTES: Notice of the Public Hearing was duly advertised in the Legal Section of the Woonsocket Call on Wednesday, May 12, 2010 and Wednesday, May 19, 2010. Notice was sent to all abutting property owners by certified mail, as required by law.**

**B. Report/recommendations**

**a) Building Official**

**b) Chief of Police**

**c) Fire Marshal**

**d) Department of Health**

**e) Tax Collector**

**f) Certificate of Insurance in compliance with §8-28 of the Ordinances of the Town of Burrillville**

**g) Certificate of Good Standing from the State Division of Taxation**

**It was noted for the record that all reports and recommendations were in order.**

**C. The hearing of all interested parties in regard to the granting of this license. Note: Persons who wish to address the Town Council shall state their name and address.**

**a) Proponents: None**

**b) Opponents: None**

**D. VOTED to close the public hearing.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Norman C. Mainville. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**E. Town Council Members Comments/Input/Deliberation: None**

**F. MOTION to grant the transfer of Retail License Class BV (Limited) to sell beverages under Title 3, Chapter 5 of the General Laws of Rhode Island 1956 from Justin Hagerty d/b/a Bolies Chowder Shack, in building owned by Sheila Finn, for premises located at 98 Pascoag Main St., Pascoag, (Assessor's Map 175, Lot No. 40) to Achara Weydt Corporation d/b/a Thai Time Restaurant, in building owned by Sheila Finn, for premises located at 98 Pascoag Main St., Pascoag, (Assessor's Map 175, Lot No. 40), subject to receipt of certificate of good standing.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors**

**Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**G. VOTED to grant an annual victualing license to Achara Weydt Corporation d/b/a Thai Time Restaurant, in building owned by Sheila Finn, for premises located at 98 Pascoag Main St., Pascoag, (Assessor's Map 175, Lot No. 40).**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**10-146 Application for an annual victualing license from Plan B, LLC d/b/a Cool Brewin' Convenience & More, in building owned by Bottom Line Brothers, LLC, for premises located at 390 Church Street., Pascoag, (Assessor's Map 157, Lot No. 27).**

#### **A. Report/recommendations**

**a) Building Official**

**b) Chief of Police**

**c) Fire Marshal**

**d) Department of Health**

**e) Tax Collector**

**f) Certificate of Insurance in compliance with §8-28 of the Ordinances of the Town of Burrillville**

**It was noted for the record that all reports and recommendations were in order.**

**B. The hearing of all interested parties in regard to the granting of this license. Note: Persons who wish to address the Town Council shall state their name and address.**

**a) Proponents: None**

**b) Opponents: None**

**C. VOTED to grant an annual victualing license to Plan B, LLC d/b/a Cool Brewin' Convenience & More, in building owned by Bottom Line Brothers, LLC, for premises located at 390 Church Street., Pascoag, (Assessor's Map 157, Lot No. 27).**

**It was noted for the record that all reports and recommendations were in order.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M.**

**Karmozyn Jr. and Norman C. Mainville.**

**VOTED to close the public hearing.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

#### **8. Unfinished Business:**

**10-120 First reading of proposed amendments to the Revised General Ordinances, Town of Burrillville, RI, 2004, entitled: First Amendment to the Downtown Pascoag Redevelopment Plan; and scheduling of a public hearing.**

**VOTED to schedule a public hearing at the call of the chair.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

#### **9. New Business:**

**10-133 VOTED to open the correspondence from the Rubbish & Recycling Committee regarding their recommendations for reducing waste disposal costs and improving recycling rates.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Norman C. Mainville. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**Donald Fox, Chair, Rubbish and Recycling Committee, thanked the town employees who had served with the committee. Mr. Fox summarized the committee's recommendation, saying that the committee had concluded that in order to control rising costs of trash collection and to achieve the State-mandated recycling rate of 35% with a total diversion rate of 50% by 2012, the Town Council should immediately implement a "No Bin, No Barrel" program. The Committee also recommended that the Town Council implement a "Pay As You Throw" program to commence July 2, 2011. The Committee offered to meet in workshop session with the Town Council regarding the programs.**

**VOTED to schedule workshop at the call of the chair.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr.**

**Councilors Wallace F. Lees and John M. Karmozyn, Jr. were recognized for their participation with the committee.**

**Michael C. Wood, Town Manager, suggested that the administration could work with the Committee and give the Town Council a proposal for implementation of No Bin No Barrel. The importance of an educational component was discussed.**

**The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**10-134 VOTED to declare surplus certain items, as listed, as requested by Edward J. Pienkos, Information Systems Manager.**

**Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**10-135 VOTED to refer to the Screening Subcommittee applications from Dov Pick for the Planning Board and from Robyn Volpini for the Conservation Commission.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**10-136 Correspondence from Norman C. Mainville, Chairman, Screening Subcommittee, regarding the Subcommittee's recommendations:**

**VOTED to reappoint Aaron J. Coutu to the Juvenile Hearing Board for a three-year term to expire June 30, 2013.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**VOTED to reappoint William J. Peterson, Jr. and Don C. Wolfe to the Sewer Commission for three-years terms to expire June 30, 2013.**

**Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors**

**Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**VOTED to reappoint Hubert J. Cournoyer to the Jesse M. Smith Memorial Library Board of Trustees for a five-year term to expire June 30, 2015; and as an alternate member of the Budget Board for a one-year term to expire June 30, 2011.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**MOTION to deny reappointment of Daniel P. Joubert, Sr. to the Budget Board.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Norman C. Mainville.**

**Discussion: There was discussion of the Screening Subcommittee's decision not to recommend the reappointment. Councilor Margaret L. Dudley spoke against the recommendation. Mark Brizard, Budget Board Vice Chair, said that the recommendation was not a decision of the majority Board. Colleen Joubert (Daniel P. Joubert, Sr.'s wife) spoke against the recommendation. Councilor Kevin D. Heitke spoke**

**of deference to the Screening Subcommittee's recommendations.**

**The motion carried, four in favor, three opposed. Voting in favor of the motion were Councilors Wallace F. Lees, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville. Voting in opposition were Council President Nancy F. Binns and Councilors Robert A. Bishop and Margaret L. Dudley.**

**VOTED to reappoint Nathan M. St. Pierre as an alternate member of the Budget Board for a one-year term to expire June 30, 2011.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**Recommendation of the Screening Subcommittee not to support the reappointment of David C. Ketcham to the Budget Board, on the recommendation of the Chairman, Arthur Hurley.**

**MOTION to reappoint. There was no second.**

**VOTED not to support reappointment.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M.**

**Karmozyn, Jr.**

**Discussion: Councilor Margaret L. Dudley discussed Dr. Ketcham's qualifications and objected to not reappointing Mr. Joubert and Dr. Ketcham. Councilor Wallace F. Lees commented on the impact of dissent on the function of committees and reviewed the Screening Subcommittee vote.**

**VOTED to move the question.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**VOTE ON THE MAIN MOTION:**

**The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville. Councilor Margaret L. Dudley voted in opposition.**

**10-137 First reading of proposed amendments to the Revised General Ordinances, Town of Burrillville, RI, 2004, entitled: Compensation of**

**Town Council Members and School Committee Members; and scheduling of a public hearing.**

**VOTED to schedule a public hearing at the call of the chair.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**10-138 Correspondence from Jeff McCormick, Director of Public Works & Engineering Services and John P. Mainville, Finance Director, regarding their recommendations to award bids for infrastructure items to be purchased from the current 2010 capital improvement program.**

**VOTED to award the installation of bituminous concrete pavement to the low bidder for both binder [\$68.25] and surface course [\$69.25], to All States Asphalt, Inc.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**VOTED to award full depth reclamation work to Rafferty Fine Grading [\$1.81/Square Yard].**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**VOTED to award porous asphalt pavement installation to International Paving Corp [\$83.50/ton].**

**Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**VOTED to utilize/piggyback the State bid for cold planing.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**VOTED to award rubberized asphalt chip sealing to All States Asphalt, Inc. [\$4.00/sq yd].**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**VOTED to award crack sealing to Sealcoating, Inc. [\$ .77 linear foot].**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**VOTED to award granite curb installation to International Paving Corp. [\$10.00 remove/reinstall; \$5.50 disposal; \$20.00 new installation].**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**VOTED to award pre-cast concrete curb installation to International Paving Corp. [\$10.00 remove/reinstall; \$5.50 disposal; \$20.00 new installation]**

**Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**VOTED to award bituminous concrete berm installation to International Paving Corp. [\$90.00/ton].**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**VOTED to award concrete sidewalks to International Paving Corp.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Norman C. Mainville. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M.**

**Karmozyn Jr. and Norman C. Mainville.**

**VOTED to award bituminous concrete sidewalks to International Paving Corp.**

**Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**10-139 VOTED to award the bid for tables for the Champlin Hall to the Robert H. Lord Co., in the amount of \$6,977.52; with funds previously budgeted and approved from the Burrillville Extended Care funds.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**10-140 Correspondence from Cheri R. Hall, Director, Parks & Recreation Department, regarding her recommendations:**

**VOTED to award the bid for playground equipment for Freedom Park to Gametime/ Marturano Recreation in the amount of \$10,224.06, to be**

**funded from the Recreation Capital Account.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**VOTED to open consideration and action on options relative to fencing at Freedom Park.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**Michael C. Wood, Town Manager, explained the changes at Freedom Park, effected in conjunction with the dam construction. Placement options, as outlined in Ms. Hall's correspondence, were discussed. It was noted that the fencing would not interfere with the Arts Festival set-up and that lawn cutting would not be impeded.**

**VOTED to entirely fence around the playground area and put split rail at the top at the banking side of the path; and that the appropriation not exceed \$18,000.00.**

**Motion by Councilor Robert A. Bishop. Seconded by Councilor Norman C. Mainville. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**10-141 Consider and act on pending legislation:**

### **Legislative Status Report**

**Councilor Margaret L. Dudley noted that House Bill 2010 H7094 and Senate Bill 2010 – S2104 relative to dog licensing in Burrillville were still pending.**

### **Other pending legislation**

**Michael C. Wood, Town Manager, commented on the serious financial situation statewide and on the local level. Mr. Wood encouraged residents to contact members of the legislature to advocate for the community.**

### **10. Town Clerk/Communication:**

**10-142 VOTED to open a copy of OM 10-15, correspondence from Special Assistant Attorney General Michael W. Field to Mr. Doe regarding open meetings complaints.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**Discussion: Michael C. Wood, Town Manager, summarized the decision which addressed a number of complaints and showed no open meetings law violation. There was discussion of the time and money involved in responding to frivolous complaints and recognition of Town Solicitor Timothy F. Kane's work in responding. It was suggested that, since Special Assistant Attorney General Michael W. Field had chosen elected not to identify the complainant, the Town Council should refrain from doing so.**

**Despite a resident's request, OM 10-15 was not read into the record due to its length. The document is on file with the record of the meeting and available to the public.**

**VOTED to receive and file; and to place on the website.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D.**

**Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**10-143 Correspondence from Jeffrey Partington, Planning Board Chairman, regarding the Planning Boards desire to offer their expertise on land development projects initiated by the Town.**

**VOTED to receive and file; but to send the thanks of the Council to the Planning Board for their offer.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmozyn, Jr.**

**Discussion: Councilor Norman C. Mainville, Town Council Liaison to the Planning Board, commented on the ability of the Planning Board.**

**The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**10-144 VOTED to receive and file correspondence from Rhode Island town councils and school committees requesting support for their resolutions, as follows:**

**Bills on which the Burrillville Town Council previously has taken a position:**

- a) Resolutions from Portsmouth School Committee in opposition to mandatory binding arbitration on monetary matters for teachers; and**
- b) Corrected resolution of the South Kingstown School Committee regarding a funding formula; and**
- c) Resolution of the Portsmouth School Committee in opposition to mandatory contract continuation legislation; and**
- d) Resolution of the Portsmouth School Committee regarding tort reform.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**11. VOTED that reports #1 through 24 be received.**

- 1. Town Treasurer: Report of April 2010**
- 2. Burrillville Sewer Commission: Report of April 2010; meeting of April 13, 2010**
- 3. Tax Collector: Report of April 2010**
- 4. Department of Public Works: Report of April 2010**
- 5. Chief of Police: Report of April 2010**
- 6. Office of Building Official: Report of April 2010**
- 7. Animal Control Officer: Report of April 2010**
- 8. Burrillville Housing Authority: Meeting of April 14, 2010**

- 9. Planning Board/Town Planner: No report**
- 10. Zoning Board of Review: No report**
- 11. Parks and Recreation Department: Report of May 2010**
- 12. Information Systems Department: Report of May 2010**
- 13. Burrillville Conservation Commission: No report**
- 14. Ordinance Subcommittee: No report**
- 15. Redevelopment Agency: Meeting of March 23, 2010**
- 16. B-PAC: No report**
- 17. Personnel Board: Meeting of April 13, 2010**
- 18. Screening Subcommittee: No report**
- 19. Budget Board: No report**
- 20. Burrillville School Committee: Meetings of March 9 and April 14, 2010**
- 21. Emergency Management Agency: Report of May 19, 2010**
- 22. Public Safety Committee: No report**
- 23. Charter Review Commission: No report**
- 24. Rubbish & Recycling Committee: Meeting of March 8, 2010**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

#### **Public Comment**

**Resident Raymond Trinque commented on his surprise and**

disappointment that Mr. Joubert and Dr. Ketcham had not been reappointed to the Budget Board.

## **12. Additional Business:**

**10-145 VOTED to grant the request for executive session from Town Manager Michael C. Wood, pursuant to Rhode Island Open Meeting Law [§42-46-5(a)(2)] for discussion and consideration relative to collective bargaining unit agreements between:**

- **the Town of Burrillville and Council 94 Local 186**
- **the Town of Burrillville and FOP Lodge 27**
- **the Burrillville School Committee and the Burrillville Teachers' Association**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**There was a recess before executive session.**

**The Town Council returned to open session at 10:23 P.M.**

**VOTED to seal the minutes of executive session, noting that no votes had been take.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**VOTED to adjourn at 10:24 P.M.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.**

**The meeting was recorded.**

**Louise R. Phaneuf, Town Clerk**